

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Francesco NICASTRO

Date: December 4, 2008

Serial No.: 10/580,526

Group Art Unit: 2125

Filed: March 30, 2007

Examiner: Sean P. Shechtman

For: METHOD FOR PREDICTIVE MAINTENANCE OF A CUTTING UNIT OF AN
AUTOMATIC MACHINE

VIA EFS-WEB

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REONSE TO RESTRICTION REQUIREMENT
REMARKS/ARGUMENT

This Response is filed in reply to the Restriction Requirement mailed September 19, 2008 and subsequent to the election of Group A1 in a previous Restriction Response filed May 30, 2008.

For purposes of this Restriction Response, Applicant elects the invention of Species B1, the claim readable thereon being identified as claim 31 and further elects the invention of Species C2, the claim readable thereon being identified as claim 44.

Applicant reserves the right to file a divisional application directed to the subject matter covered in the non-elected claims.

The Examiner's assertion that claim 1 is generic to all A groups, claims 1 and 30 are generic to all B groups, and claims 1 and 42 are generic to all C groups is again noted. Applicant respectfully again submits that claims 1, 6-45 are generic to all A groups; that claims 1-30 and 33-45 are generic to all B groups; and that claims 1-42 and 45 are generic to all C groups.

Upon allowance of a generic claim, withdrawal of the election requirement will be appropriate. If the Examiner disagrees with the conclusions asserted above, he is respectfully requested to contact the applicant's undersigned representative.

Early and favorable consideration of the present application is earnestly solicited.